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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,897	12/09/2003	Yasuo Sugahara	1341.1164	3978
21171	7590	01/09/2008	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			POND, ROBERT M	
		ART UNIT	PAPER NUMBER	
		3625		
		MAIL DATE	DELIVERY MODE	
		01/09/2008	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/729,897	SUGAHARA, YASUO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Robert M. Pond	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 05 October 2007.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1,3-8 and 10-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,3-8 and 10-18 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____.                                     |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____.   | 6) <input type="checkbox"/> Other: _____.                         |

## **DETAILED ACTION**

### ***Response to Amendment***

The Applicant amended independent claims 1, 8, 15, 17 and 18. Claims 2 and 9 were previously canceled. All pending claims 1, 3-8, and 10-18 were examined in this final office action necessitated by amendment.

### ***Response to Arguments***

Applicant's arguments, see Remarks, filed 05 October 2007, with respect to the rejection(s) of claim(s) 1, 3-8, and 10-18 under 35 USC 102 and 103 have been fully considered and are persuasive in light of the amended claim language. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Holland. Ananian and Greef were withdrawn necessitated by amendment. Arguments pertaining to Ananian alone and Ananian and Greef are moot.

### ***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

- 1. Claims 1, 3-6, 8, and 10-13 and 15-18 are rejected under 35 USC 102(e) as being anticipated by Holland (US 6,493,742).**

**DETAILED ACTION**

***Response to Amendment***

The Applicant amended independent claims 1, 8, 15, 17 and 18. Claims 2 and 9 were previously canceled. All pending claims 1, 3-8, and 10-18 were examined in this final office action necessitated by amendment.

***Response to Arguments***

Applicant's arguments, see Remarks, filed 05 October 2007, with respect to the rejection(s) of claim(s) 1, 3-8, and 10-18 under 35 USC 102 and 103 have been fully considered and are persuasive in light of the amended claim language. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of ~~\*\*\*~~.

Holland teaches all the limitations of claims 1, 3-6, 8, and 10-13 and 15-18.

For example, Holland discloses a method of creating purchase information. See at least abstract; Fig. 1; col. 1, line 5-col. 3, line 35. Holland further discloses:

- **Regarding claim 8 and 13:** obtaining first purchase information concerning items selected by a first person from an item list provided by an online shopping service via a network; first person registers (i.e. registrant) and creates one or more gift registries. See at least col. 2, lines 25-48;
- **Regarding claim 8 and 13:** generating purchase identification information that uniquely identifies the first purchase information and associates the unique purchase identification information with a second person; unique information obtained from a registrant; generates purchase identification information. See at least Fig. 8 (804, 806); col. 2, lines 25-48; col. 8, lines 33-col. 9, line 5.
- **Regarding claim 8 and 13:** storing the unique purchase identification; registrant information and list stored and managed in a database. See at least Fig. 1; Fig. 2; col. 4, line 15-col. 6, line 61; col. 8, line 33-col. 9, line 5.
- **Regarding claim 8:** receiving the unique purchase identification information as a search condition from the second person; guest (i.e. second person) performs search query based on registrant's name (i.e.

first person). See at least Fig. 8 (802); col. 2, lines 49-65; col. 9, line 5-col. 9, line 36.

- **Regarding claim 8:** searching the storage unit for the first purchase information on the search condition; search is conducted and returns a unique identifier for each matching registry. Retrieves a matching registry. See at least Fig. 8 (804, 806); col. 2, lines 49-67; col. 9, line 5-line 36.
- **Regarding claim 8:** and creating second purchase information concerning an item to be purchased by the second person, based on the first purchase information. Guest selects one of the unique identifiers to open and review the items in the registrant's registry. The guest may pick items in the registry for purchase while the registry is open. Guest performs a single purchase transaction. See at least Fig. 8 (806 "Purchase); Fig. 9; col. 2, line 49-col. 3, line 11; col. 9, line 5-col. 10, lines 14.
- **Regarding claims 10 and 11:** second person identification. Guest user profile using general user identifier; guest password (implied: required to access registry search and purchasing services; support for online shopping featuring unique identifiers. See at least col. 6, lines 19-38; col. 6, lines 55-61; col. 9, lines 22-36.
- **Regarding claim 12:** unique item identifier. SKU (stocked keeping unit) number or universal product code (UPC) for each item retrieve as a result of a guest search. See at least Fig. 8 (806); col. 4, lines 41-67.

- **Regarding claims 15-18:** Rejections of claims 14-18 are based on the same disclosures as noted above. See at least Figs. 1, 2, 5 and 8 for system, apparatus, and computer-readable medium containing instructions.

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**2. Claims 7 and 14 are rejected under 35 USC 103(a) as being unpatentable over Holland (US 6,493,742).**

Holland teaches all the above as noted in the 102(e) rejection and teaches a registrant being user desiring to establish one or more product registries accessible by one or more guests. It would have been obvious to one of ordinary skill in the art at time the invention was made to ascertain intended use of the registry (method, apparatus, and system) including a variety of users serving as registrants with peer or subordinate relationships to their guests, because a person of ordinary skill has good reason to pursue the known options within his or her technical grasp. If this leads to the anticipate success, it is likely the product is not of innovation but of ordinary skill and common sense. Obviousness under 35 USC 103 in view of the Supreme Court decision *KSR International Co. vs. Teleflex Inc.*

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Robert M. Pond  
Primary Examiner  
January 6, 2008